

1-25-05 10/522936
DT07 Rec'd PGT/PTO 24 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No: 5936-11112

Inventor(s):

John T. McDevitt
Pierre Floriano
Nick Christodoulides

Title: CAPTURE AND DETECTION
OF MICROBES BY
MEMBRANE METHODS

CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV483430899US
DATE OF DEPOSIT: January 24, 2005

I hereby certify that this paper (along with any paper and/or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Commissioner for Patents
Alexandria, VA 22313-1450

Derrick Brown

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371**

INTERNATIONAL APPLICATION NO.: PCT/US03/23131
INTERNATIONAL FILING DATE: July 24, 2003
PRIORITY DATE CLAIMED: July 24, 2002
U.S. APPLICATION NO. (If known):

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)), including:
a title page; _____ page specification; _____ page(s) of claims (claims -); 1 page abstract.
5. ☐ Drawings
☐ Formal Figure(s) _____ - _____ on 1 sheet(s).
6. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
☐ is transmitted herewith (_____ pages).
☐ has been transmitted by the International Bureau.
☒ A copy of Form PCT/IB/308 (1 page) is enclosed.
☒ is not required, as the application was filed in the United States Receiving Office (RO/US).

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7. ☒ A copy of the International Publication, Publication No. WO 2004/009840.
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
☐ are transmitted herewith (required only if not transmitted by the International Bureau).
☐ have been transmitted by the International Bureau.
☐ have not been made; however, the time limit for making such amendments has NOT expired.
☐ have not been made and will not be made.
9. ☒ Amendments to the claims of the International Application under PCT Article 34
☒ Statement under Article 34 (mailed September 17, 2003, mailed October 30, 2003)
☒ Response to Written Opinion
10. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
11. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
☐ A copy of the Demand for International Preliminary Examination is enclosed.
12. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)):
☐ is enclosed (____ pages).
☐ a combined Declaration and Power of Attorney is enclosed (____ pages).
☒ is not enclosed. Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, Applicant requests that the NOTICE OF MISSING PARTS-FILING DATE GRANTED be sent to the undersigned representative of Applicant.
13. ☒ Applicant hereby claims priority to:
☒ International Application No.: PCT/US2003/023131.
☒ U.S. Provisional Application No.: 60/398,324, 60/398,203, 60/398,314, 60/398,235, 60/398,148.
☒ A copy of Form PCT/IB/304 (1 page) indicating receipt of the priority document by the International Bureau is enclosed.
13. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
14. ☒ The entire disclosure of the International Application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.
15. ☐ Assignment Papers.
☐ An assignment document is enclosed for recording (____ pages).
☐ Form PTO-1595 Assignment Recordation Cover Sheet (____ page).
16. ☒ A Preliminary Amendment (8 pages).
17. ☐ A substitute specification for pages ____ (____ pages).
18. ☐ A strikethrough version of specification and abstract (____ pages).
19. ☐ Power of Attorney
☐ Is enclosed.
☐ a combined Declaration and Power of Attorney is enclosed.
20. ☐ Information Disclosure Statement (IDS), including:
☐ Form PTO-1449
☐ Reference(s) marked according to Form PTO-1449.

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21. ☒ Return Receipt Postcard
22. ☒ Small Entity Status
☐ A small entity statement is enclosed.
☒ Small entity status is proper and is requested.
23. ☒ Copy of International Preliminary Examination Report.
24. ☒ The following fees are submitted:

BASIC NATIONAL STAGE FEES				
<input checked="" type="checkbox"/> Basic national fee.....				\$300.00
<input checked="" type="checkbox"/> Examination fee.....				\$200.00
<input checked="" type="checkbox"/> Search fee.....				\$500.00
ENTER APPROPRIATE BASIC NATIONAL FEE AMOUNT (as selected above):				\$1,000.00
Surcharge of \$130.00 for furnishing oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$50.00 =	
Independent claims	- 3 =	0	x \$200.00 =	
MULTIPLE DEPENDENT CLAIM(S)			+ \$360.00 =	
TOTAL OF ABOVE CALCULATIONS:				\$1,000.00
Reduction by 50% for Small Entity. A Small Entity Statement must be filed:				\$500.00
SUBTOTAL:				\$500.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date:				
TOTAL NATIONAL FEE:				\$500.00
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property:				
TOTAL FEES ENCLOSED:				\$500.00

☒ A fee authorization in the amount of \$500.00 is enclosed.

☐ Please charge my Deposit Account No. 50-1505/ in the amount of to cover the above fees.

☒ The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C., Deposit Account No. 50-1505/5119-11112/EBM.

10/522926

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Please address all correspondence in connection with this application to customer number 35690:

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Austin, Texas 78767
Phone: (512) 853-8800 Fax: (512) 853-8801

Signature

Name

Eric B. Meyertons

Registration No.

34,876

Date

JAN 24, 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown
Filed: Herewith
Inventor(s):
McDevitt et al.

Title: CAPTURE AND
DETECTION OF
MICROBES BY
MEMBRANE METHODS

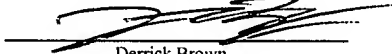
§ Examiner: Unknown
§ Art Unit: Unknown
§ Atty. Dkt. No: 5936-11112/EBM
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Alexandria, VA 22313-1450


Derrick Brown

FEE AUTHORIZATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin,
Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5660-11112EBM.

\$500.00 – National Application Filing Fees

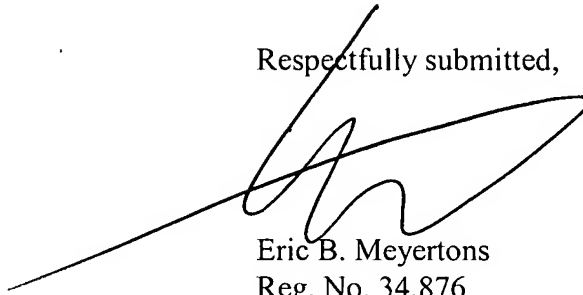
Total Amount: \$500.00

Attorney Docket No.: 5936-11112

McDevitt et al.

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Eric B. Meyertons', written over the text 'Respectfully submitted,'.

Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
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AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

Date: JAN 24, 2005